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# JUSTICE DEPT. SETS A FORMAL INQUIRY ON CARTER PAPERS

'Who Obtained Documents' for  
Reagan's Aides, and How,  
Listed as F.B.I. Goals

By PHIL GAILEY

Special to The New York Times

WASHINGTON, June 30 — The Justice Department said today it would conduct a formal investigation into how Ronald Reagan's campaign in 1980 secretly obtained debate strategy material prepared for President Carter.

Thomas DeCair, a spokesman for Attorney General William French Smith, said the department asked the Federal Bureau of Investigation to join the inquiry Wednesday night after an "active review" of the matter in recent days "led us to the conclusion that there should be an investigation."

In California, President Reagan said that he saw no reason at this point to apologize to Mr. Carter, and on Capitol Hill partisan dissent erupted among members of the House subcommittee investigating the purloined Carter papers.

## Stockman Acknowledges Role

David A. Stockman, the director of the Office of Management and Budget, has acknowledged that he was a source for the disclosure by the author Laurence I. Barrett that Mr. Stockman had used "filched" briefing papers in preparing himself to play the role of Jimmy Carter in a debate rehearsal with Mr. Reagan. Mr. Barrett's disclosure in his book, "Gambling With History," touched off the current controversy.

In addition, a former senior official in the Reagan campaign said in an interview today that he remembered some of his colleagues, including James A. Baker and David R. Gergen, the President's director of communications, boasting that they had an inside track to the Carter campaign. The former campaign aide, who spoke on the condition that his name not be used, has often been at odds with Mr. Baker, the White House chief of staff.

## Motive a Crucial Factor

The controversy hinges primarily on how the Carter documents came into the possession of the Reagan campaign. Justice Department officials and political specialists say that if it should turn out that the material was volunteered to the Reagan camp by a disgruntled Carter aide, it probably would not result in any prosecutions. If, however, as former Carter aides have suggested, the Reagan campaign was systematically receiving material from one or more informers in the White House, that would create a far more serious political, ethical and, perhaps, legal situation.

Roger S. Young, assistant director of the F.B.I. for Congressional and public affairs, said, "We have been requested by the Department of Justice to enter the case and resolve the questions of who obtained the documents and how." Mr. Young said the decision to begin a formal investigation was "a natural progression and not a change" in the department's attitude. "It's the logical solution to find the answers they're looking for," he added.

The F.B.I. will report its findings to the Public Integrity Section of the department's criminal division, which is handling the investigation. Mr. Young said he did not foresee "a lengthy investigation," adding: "The inquiry can be concluded in a few weeks and the answers turned over to Justice for review. After that, the department will decide the next step."

Officials at both the Justice Department and the F.B.I. declined to characterize the inquiry as the preliminary investigation called for in the Ethics in Government Act as the first step toward appointment of a special prosecutor. Under that act, the department has 90 days for such an inquiry before determining whether there is sufficient reason to ask a court to name a special prosecutor.

President Reagan, visiting a high school in Whittier, Calif., said in response to questions, "I haven't done anything to apologize for."

Mr. Reagan, who is to spend the long

holiday weekend at his California ranch, said that "I asked for this investigation" by the Justice Department and that he saw no reason to apologize to anyone until the investigation determined how the Carter debate material wound up in the hands of Mr. Reagan's campaign staff.

"We don't know how any of that happened, and I never knew there was such a thing, so we will wait and find out," he added. "Let me find out how that happened and who was responsible."

President Reagan announced on Monday that he had asked the Justice Department for a "vigorous monitoring" of the matter. The next day the White House sent to the department hundreds of pages of Carter campaign material that were found in the files of some of Mr. Reagan's campaign aides.

## Word 'Monitor' Raises Doubt

Justice Department officials said that they had not understood what Mr. Reagan meant by the use of the word "monitor" and that after considerable debate in the department's criminal division, the term "active review" was agreed on as the best description of the agency's role. The decision to move from a review to a formal investigation was made Wednesday night.

The officials said that information currently available did not constitute a sufficiently specific allegation to invoke the act, but Irvin B. Nathan, who served as deputy assistant attorney general in the criminal division under President Carter, disagreed.

"There appears to be sufficient information to trigger a preliminary investigation under the special prosecutor statute," he said in an interview. He said the most likely violation of Federal law in this case appeared to be a section that made it a felony knowingly to receive, conceal, retain or convert to one's own use public money, property or records that have been stolen or embezzled.

Mr. Stockton's acknowledgment that he told Mr. Barrett about the purloined documents marks the second time he has embarrassed the President by talking to a reporter. In 1981, the budget director shared his doubts about and criticisms of Mr. Reagan's economic policies with a reporter for the Atlantic Monthly.

"You just don't talk to the press the way Stockman does," said Richard A. Viguerie, a direct-mail fund-raiser for conservative candidates and causes. "He has been involved in the two biggest embarrassments to this Administration. This is something that may trouble Reagan for a long time."